

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JULIA DAVIS-HARRIS,

Case No. 4:24-cv-11380

Plaintiffs,

F. Kay Behm

v.

United States District Judge

MAKOWER ABBATE GUERRA
WEGNER & VOLLMER, PLLC,
TODD SKOWRONSKI, EVAN M.
ALEXANDER, JENNIEFER
IGWEILER, and SARAH
MCCOSKEY,

David R. Grand
United States Magistrate Judge

Defendants.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE
JUDGE'S APRIL 3, 2025 REPORT AND RECOMMENDATION
(ECF No. 38)**

Currently before the court is Magistrate Judge Grand's April 3, 2025, Report and Recommendation (ECF No. 38). Before the Magistrate Judge were two motions: Plaintiff Julia Davis-Harris' motion for an emergency cease and desist order (ECF No. 12), and Defendants' motion to dismiss based on failure to properly serve them and failure to state a claim (ECF No. 32). Following a hearing on the motions and conferring with the parties, Magistrate Judge Grand recommends denying Davis-Harris' motion for preliminary injunctive

relief without prejudice, denying Defendants' motion to dismiss under Rule 12(b)(6) without prejudice to allow Davis-Harris to file an amended complaint, and denying as moot the argument that Davis-Harris properly served Defendants based on Defendants' representation that they would waive the service issue if they were afforded ample time to respond to Davis-Harris' amended complaint. The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The court nevertheless agrees with the Magistrate Judge's recommended disposition. Therefore, the Court **ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 32) and **DENIES** both motions **WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Davis-Harris has until and including May 5, 2025 to file her amended complaint, and that Defendants shall have 30 days from the date of filing to answer or

otherwise respond to her complaint.

SO ORDERED.

Date: April 21, 2025

s/F. Kay Behm

F. Kay Behm

United States District Judge